

110TH CONGRESS
1ST SESSION

S. 751

To amend title XIX of the Social Security Act to modify certain administrative eligibility rules relating to children born in the United States to Medicaid-eligible mothers.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 2007

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to modify certain administrative eligibility rules relating to children born in the United States to Medicaid-eligible mothers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Guaranteed Access to
5 Medicaid for Newborns Act of 2007”.

1 **SEC. 2. MODIFICATION OF CERTAIN ADMINISTRATIVE ELI-**
 2 **GIBILITY RULES RELATING TO CHILDREN**
 3 **BORN IN THE UNITED STATES TO MEDICAID-**
 4 **ELIGIBLE MOTHERS.**

5 (a) SATISFACTION OF CITIZENSHIP DOCUMENTATION
 6 REQUIREMENT.—

7 (1) IN GENERAL.—Section 1903(x)(2) of the
 8 Social Security Act (42 U.S.C. 1396b(x)(2)), as in-
 9 serted by section 6036(a)(2) of the Deficit Reduc-
 10 tion Act of 2005 (Public Law 109–171; 120 Stat.
 11 80) and amended by section 405(c)(1)(A) of division
 12 B of the Tax Relief and Health Care Act of 2006
 13 (Public Law 109–432), is amended—

14 (A) in subparagraph (C)(ii), by striking
 15 “or” at the end;

16 (B) by redesignating subparagraph (D) as
 17 subparagraph (E); and

18 (C) by inserting after subparagraph (C)
 19 the following new subparagraph:

20 “(D) on the basis of section 1902(e)(4) or with
 21 respect to any period of eligibility of such an indi-
 22 vidual that occurs after a period of eligibility on
 23 such basis; or”.

24 (2) EFFECTIVE DATE.—

1 (A) RETROACTIVE APPLICATION.—The
 2 amendments made by paragraph (1) shall take
 3 effect as if enacted on July 1, 2006.

4 (B) STATE OPTION FOR RETROACTIVE
 5 RESTORATION OF ELIGIBILITY.—In the case of
 6 an individual who, during the period that began
 7 on July 1, 2006, and ends on the date of enact-
 8 ment of this Act, was determined to be ineli-
 9 gible for medical assistance under a State Med-
 10 icaid program solely as a result of the applica-
 11 tion of subsections (i)(22) and (x) of section
 12 1903 of the Social Security Act, but who would
 13 have been determined eligible for such assist-
 14 ance if section 1903(x) of such Act, as amended
 15 by paragraph (1), had been applied to the indi-
 16 vidual, a State may deem the individual to be
 17 eligible for such assistance as of the date that
 18 the individual was determined to be ineligible
 19 for such medical assistance on such basis.

20 (b) STATE REQUIREMENT TO ISSUE SEPARATE
 21 IDENTIFICATION NUMBER.—The second sentence of sec-
 22 tion 1902(e)(4) of the Social Security Act (42 U.S.C.
 23 1396a(e)(4)) is amended by inserting “or the child was
 24 born in the United States to an alien mother for whom
 25 medical assistance for the delivery of the child is made

1 available pursuant to section 1903(v), in which case the
2 State immediately shall issue a separate identification
3 number for the child upon notification by the facility at
4 which such delivery occurred of the child's birth" after
5 "expires".

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